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CORPORATION

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA

KUNDE ENTERPRISES, INC.; VINTAGE  
WINE ESTATES, INC.,

Plaintiff,

v.

NATIONAL SURETY CORPORATION;  
CERTAIN UNDERWRITERS AT LLOYD'S  
LONDON; RSA INSURANCE GROUP;  
LIBERTY SPECIALTY MARKETS  
INSURANCE GROUP; NAVIGATORS  
UNDERWRITING AGENCY LIMITED;  
BRIT GLOBAL SPECIALTY; TRAVELERS  
MARINE CARGO,

Defendants.

Case No. 3:19-cv-06636-SK

**DEFENDANT NATIONAL SURETY  
CORPORATION'S NOTICE OF MOTION  
AND MOTION TO DISMISS OR SEVER  
PLAINTIFF VINTAGE WINE ESTATES, INC.  
AND DEFENDANTS CERTAIN  
UNDERWRITERS AT LLOYD'S LONDON;  
RSA INSURANCE GROUP; LIBERTY  
SPECIALTY MARKETS INSURANCE  
GROUP; NAVIGATORS UNDERWRITING  
AGENCY LIMITED; BRIT GLOBAL  
SPECIALTY; TRAVELERS MARINE  
CARGO FROM THIS ACTION FOR  
MISJOINDER UNDER FEDERAL RULES OF  
CIVIL PROCEDURE, RULES 20 AND 21**

Date: November 25, 2019

Time: 9:30 a.m.

Crtm: C

Judge: Magistrate Sallie Kim

TO ALL PARTIES AND THEIR ATTORNEYS OF RECORD:

PLEASE TAKE NOTICE that on November 25, 2019 at 9:30 a.m., in Courtroom C,  
located at 450 Golden Gate Ave, San Francisco, CA 94102, Defendant, National Surety  
Corporation will move for an order dismissing without prejudice or severing Plaintiff Vintage

1 Wine Estates, Inc. and Defendants Certain Underwriters at Lloyd's London; RSA Insurance Group;  
2 Liberty Specialty Markets Insurance Group; Navigators Underwriting Agency Limited; Brit Global  
3 Specialty; and Travelers Marine Cargo from this action. Once the Court has set a date, Defendant  
4 National Surety will amend this Notice.

5 This motion is made pursuant to Rule 20 and Rule 21 of the Federal Rules of Civil  
6 Procedure and is based on the fact that Plaintiff Vintage Wine Estates Inc, asserts no right to relief  
7 against Defendant National Surety Corporation. All of Plaintiff Vintage Wine Estate Inc.'s alleged  
8 claims and damages are directed solely to the other named defendants.

9 This motion is based on this Notice of Motion, the attached memorandum of points and  
10 authorities in support thereof, the pleadings and documents on file in this case, and such other  
11 evidence and argument as may be presented at the hearing on this motion.

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13 Dated: October 16, 2019

MOUND COTTON WOLLAN & GREENGRASS LLP

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15 By: /s/Melissa Dubbs  
16 Jonathan Gross  
17 Melissa A. Dubbs  
18 Attorneys for Defendant NATIONAL SURETY  
19 CORPORATION  
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